

CT

|                               |                             |                     |  |
|-------------------------------|-----------------------------|---------------------|--|
| <b>Notice of Allowability</b> | <b>Application No.</b>      | <b>Applicant(s)</b> |  |
|                               | 10/526,399                  | XAVIER ET AL.       |  |
|                               | Examiner<br>/Ted Kavanaugh/ | Art Unit<br>3728    |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to amendment filed 6/18/2007.
2.  The allowed claim(s) is/are 1-5 and 7-14.
3.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a)  All
  - b)  Some\*
  - c)  None
  1.  Certified copies of the priority documents have been received.
  2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5.  CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a)  including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1)  hereto or 2)  to Paper No./Mail Date \_\_\_\_\_.
  - (b)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

#### Attachment(s)

1.  Notice of References Cited (PTO-892)
2.  Notice of Draftsperson's Patent Drawing Review (PTO-948)
3.  Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date 3/2/2005
4.  Examiner's Comment Regarding Requirement for Deposit of Biological Material
5.  Notice of Informal Patent Application
6.  Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_.
7.  Examiner's Amendment/Comment
8.  Examiner's Statement of Reasons for Allowance
9.  Other \_\_\_\_\_.

/Ted Kavanaugh/  
Primary Examiner  
Art Unit: 3728

/TK/ 12/04/2007

DTGS Rec'd PCT/PTO 02 MAR 2005

This application is a 371 of PCT/FR03/02679 filed on 09/09/2003

FOOTWEAR ITEM FOR RACKET SPORTS

The present invention relates to the technical domain of shoes, and more particularly to the domain of footwear items for racket sports.

Such shoes are subjected to considerable mechanical stresses, particularly when tennis, 5 badminton, squash or the like are played.

The present invention relates more particularly to a sole intended for such shoes, as it is that which takes up extreme efforts and stresses, while ensuring optimum comfort for the wearers of such shoes.

It is known to produce soles for shoes, for example for sports shoes comprising a sole 10 whose outer face is intended to come into contact with the ground and whose inner face is intended to come into contact with a user's foot.

Shoes are also known, equipped with such a sole which further houses an elastically deformable, dynamic element.

Document EP 0 516 874 describes a shoe of which the front part of the sole is 15 provided with an insert, of the Belleville washer type, making it possible to store and release energy, during walking.

Such a sole is in no way adapted for sports of the tennis or squash type, in which the stresses of the sole and the shoe are extremely more intense and distributed differently than in a conventional walking shoe, such as the one described in that document.

20 The purpose of the present invention is to produce a sole for shoe intended for extreme uses, in which the lateral supports of said sole are considerably under stress, and this so as to assist the return of the sole and the foot in a substantially normal or antagonistic position in which the lateral supports are under less stress.

According to the invention, the footwear item of the aforementioned type is essentially 25 characterized in that the sole comprises a dynamic element intended to store and release energy when said sole is subjected to lateral stresses, comprising, on the one hand, a return plate positioned in the sole so as to extend at least partially